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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,932	01/02/2001	Brent Beamer	011338-105	8310
26984	7590	11/02/2004	EXAMINER	
WILLIAM L. LONDON 3010 LEE AVENUE P.O. BOX 152 SANFORD, NC 27330			KRUER, KEVIN R	
			ART UNIT	PAPER NUMBER
			1773	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/720,932

Applicant(s)

BEAMER, BRENT

Examiner

Kevin R Kruer

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/13/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12 and 14-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3,5-12 and 14-30 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Ex parte Quayle

1. This application is in condition for allowance except for the following formal matters:

The interlineations or cancellations made in the specification or amendments to the claims could lead to confusion and mistake during the issue and printing processes. Accordingly, the portion of the specification or claims as identified below is required to be rewritten before passing the case to issue. See 37 CFR 1.125 and MPEP § 608.01(q).

The specification was significantly amended in the preliminary amendment of January 02, 2001. Said interlineations and cancellations could lead to confusion and mistake during the issue and printing process. A substitute specification, incorporating the amendments thereto, is required before passing the case to issue.

2. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
3. A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

4. Claims 1-3, 5-12, and 14-30 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Five independent claims (claims 1, 2, 12, 14, and 23) have been indicated allowable. White (US 4,699,830) and Havens (US 5,175,033) is the closest prior art for each of the 5 independent claims. For clarity, each of the five independent claims will be discussed separately.

Claims 1 and 2 are drawn to low charge retaining film materials for packaging comprising at least the following layers: (1) a heat sealable static dissipative polymer; (2) a tie layer; (3) a first moisture barrier comprising a metallized surface and a non-metallized surface; (4) a tie layer; (5) a second moisture barrier layer comprising a metallized surface and a non-metallized surface; and (6) a low charge retaining coating. As explained in the Final-Rejection of January 2, 2004, White teaches a packaging material for electrically sensitive components that includes all of said layers except for the non-metallized surface of the first moisture barrier. Furthermore, the prior art as a whole fails to motivate one of ordinary skill in the art to add said non-metallized surface to the laminate taught in White. Havens teaches a packaging laminate for electrostatically sensitive items wherein the laminate optionally has a polymeric insulative layer sandwiched between a conductive metal layer and an antistatic layer (col 3, lines 1+). However, Havens fails to provide any motivation to one of ordinary skill in the art to add such a polymeric insulative layer between the antistatic layer and the first metallized surface of the first moisture barrier taught in White.

Claim 12 is drawn to low charge retaining film materials for packaging comprising at least the following layers: (1) a heat sealable static dissipative polymer; (2) a tie layer; (3) a first moisture barrier including a metal foil and a non-metallized surface; (4)

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a tie layer; (5) a second moisture barrier layer comprising a metallized surface and a non-metallized surface; and (6) a low charge retaining coating. As explained in the Final-Rejection of January 2, 2004, White teaches a packaging material for electrically sensitive components that includes all of said layers except for the non-metallized surface of the first moisture barrier. Furthermore, the prior art as a whole fails to motivate one of ordinary skill in the art to add said non-metallized surface to the laminate taught in White. Havens teaches a packaging laminate for electrostatically sensitive items wherein the laminate optionally has a polymeric insulative layer sandwiched between a conductive metal layer and an antistatic layer (col 3, lines 1+). However, Havens fails to provide any motivation to one of ordinary skill in the art to add such a polymeric insulative layer between the antistatic layer and the metal foil of the first moisture barrier taught in White.

Claim 14 is drawn to low charge retaining film materials for packaging comprising at least the following layers: (1) a heat sealable static dissipative polymer; (2) a tie layer; (3) a dielectric polymer; (4) a metal foil; (5) a tie layer; (6) a second moisture barrier layer comprising a metallized surface and a non-metallized surface; and (7) a low charge retaining coating. As explained in the Final-Rejection of January 2, 2004, White teaches a packaging material for electrically sensitive components that includes all of said layers except for the dielectric polymer layer. Furthermore, the prior art as a whole fails to motivate one of ordinary skill in the art to add said dielectric layer to the laminate taught in White. Havens teaches a packaging laminate for electrostatically sensitive items wherein the laminate optionally has a polymeric insulative layer

sandwiched between a conductive metal layer and an antistatic layer (col 3, lines 1+). However, Havens fails to provide any motivation to one of ordinary skill in the art to add such a polymeric insulative layer between the antistatic layer and the first metallized surface of the first moisture barrier taught in White.

Claim 23 is drawn to low charge retaining film materials for packaging comprising at least the following layers: (1) a heat sealable static dissipative polymer; (2) a tie layer; (3) a polymeric moisture barrier comprising a metallized surface and a non-metallized surface; (4) a tie layer; (5) a polymeric layer; (6) a tie layer; (7) a metal foil; and (8) a low charge retaining coating. As explained in the Final-Rejection of January 2, 2004, White teaches a packaging material for electrically sensitive components that includes all of said layers except for the non-metallized surface of the polymeric moisture barrier. Furthermore, the prior art as a whole fails to motivate one of ordinary skill in the art to add said non-metallized surface to the laminate taught in White. Havens teaches a packaging laminate for electrostatically sensitive items wherein the laminate optionally has a polymeric insulative layer sandwiched between a conductive metal layer and an antistatic layer (col 3, lines 1+). However, Havens fails to provide any motivation to one of ordinary skill in the art to add such a polymeric insulative layer between the antistatic layer and the first metallized surface of the first moisture barrier taught in White.

5. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin R Kruer whose telephone number is 571-272-1510. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 571-272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kevin R. Kruer
Patent Examiner-Art Unit 1773